

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JASSRY PROPERTIES LLC,

Plaintiff,

-against-

RAN NIZAN,

Defendant.

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: 08 Civ. 00536 (JSR)  
: ECF Case  
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**AFFIDAVIT OF DEFENDANT RAN NIZAN IN FURTHER  
SUPPORT OF DEFENDANT'S MOTION TO DISMISS**

STATE OF CONNECTICUT            )  
  : ss:  
COUNTY OF FAIRFIELD            )

RAN NIZAN, being duly sworn, deposes and says:

1. I make this affidavit in further support of my motion to dismiss for lack of personal jurisdiction, failure to join an indispensable party, and failure to state a claim upon which relief can be granted. I am fully familiar with the facts and circumstances set forth in this affidavit.
2. I moved out of the apartment at 609 Columbus Avenue, New York, NY in 1998 and have not lived there ever since. I do not ever sleep at that apartment or use that apartment owned by my wife in any other way.
3. All my conversations with Mr. Shereshevsky involving a grant of interest in Lansdale Apartments LLC occurred by telephone while I was in Connecticut and Mr. Shereshevsky was in Virginia. None of these discussions occurred in person or by telephone at 158 Madison Avenue, New York, New York. Mr. Shereshevsky resided and was employed during that time to work in Virginia.

Dated: June 21<sup>st</sup>, 2008

  
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Ran Nizan

STATE OF CONNECTICUT       )  
  : ss:  
COUNTY OF FAIRFIELD       )

On June 21<sup>st</sup>, 2008, before me personally appeared Ran Nizan, to me known, and known to me to be the same person described in and who executed the within instrument and he acknowledged to me that he executed the same.

  
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Notary Public

**MARIA DE LURDES G. COSTA**  
**NOTARY PUBLIC**  
MY COMMISSION EXPIRES 3/31/2013